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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/989,507	12/12/97	BRIES	53691USA8A

IM22/0321
DOREEN S L GWIN
3M OFFICE OF INTELLECTUAL PROP COUNSEL
P O BOX 33427
ST PAUL MN 55133-3427

EXAMINER
AHMAD, N

ART UNIT	PAPER NUMBER
1772	14

DATE MAILED: 03/21/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/989,507

Applicant(s)

Bries et al.

Examiner

Nasser Ahmad

Group Art Unit

1772



☒ Responsive to communication(s) filed on Dec 28, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-45 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1, 2, 4, 6-10, 12, 15-22, 24, 26-30, 32, and 35-45 is/are rejected.

☒ Claim(s) 3, 5, 11, 13, 14, 23, 25, 31, 33, and 34 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. Claims 1, 2, 4, 6-8, 21, 22, 24, 26-28 and 41-45 are rejected under 35 USC 102(b) as being anticipated by Luhmann '189 for reasons of record in paper no. 11, page -2, mailed July 27, 1999.

2. Claims 1, 2, 4, 6-10, 12, 15, 16-22, 24, 24-30, 32 and 35-45 are rejected under 35 USC 103(a) as being unpatentable over Luhmann for reasons of record in paper no. 11, page -3.

3. Applicant's arguments filed December 28, 1999 have been fully considered but they are not persuasive. Applicant argues that Luhmann '189 fails to show a connector or a connector that may an interlocking or intermeshing material and that the release layer is not a separable connector. These one not deemed to be persuasive because Luhmann clearly shows that layer 3 would function as a separable connector surface and it would process the ability to be connected, disconnected and reconnected via element 2 to a cooperating connection surface without destruction of the separable connection surface and the adhesive tape. Further, the element 2 would provide for interlocking with other element(s) and hence, the interlocking material.

Thus, in the absence of any evidence to the contrary, it remains the Examiner's position that the claimed invention would have been anticipated or rendered obvious over the prior art of record discussed above.

4. Claims 3, 5, 11, 13, 14, 23, 25, 31, 33 and 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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The prior art uncovered so far fails to teach that the second adhesive surface of the second major surface comprises low-tack adhesive and the separable connector surface comprise a surface of the low-tack adhesive; and that the separable connector layer and surface comprise a strip of magnetic material.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is (703) 308-4424. The examiner can normally be reached on Monday-Thursday from 8:30 am to 6:00 pm. The examiner can also be reached on alternate Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ellis Robinson, can be reached on (703) 308-2364. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3599.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

Ahmad/mm

March 20, 2000


NASSER AHMAD
PRIMARY EXAMINER
~~GROUP 1300~~
TC-1700